

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:** **Monday, December 15, 2014, @ 6:30 P.M.**  
**Jerrily R. Kress Memorial Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220-South**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 07-26F (City Market at O Condo, LLC and Roadside Development – Modification of Previously Approved PUD and Zoning Map Amendment @ Square 398)**

**THIS CASE IS OF INTEREST TO ANC 6E**

On June 26, 2014, the Office of Zoning received an application from City Market at O Condo, LLC and Roadside Development (the “Applicant”). The Applicant is requesting approval of modifications to the approved planned unit development for the O Street Market project, now known as City Market at O. The Applicant originally requested that the Zoning Commission consider the proposed modifications on the consent calendar, pursuant to § 3030 of the Zoning Regulations. The Office of Planning provided its report on July 7, 2014, in which it concluded that the modifications were not minor, but recommended that the application be set for public hearing. When the Zoning Commission considered the case at its public meeting on July 17, 2014, the Commission determined that the matter should not be considered on the consent calendar and determined to schedule a public hearing on the application. The Applicant provided its prehearing statement on August 25, 2014.

The overall property that is the subject of this application consists of approximately 149,600 square feet of land area and is located in the block bounded by 7<sup>th</sup>, 9<sup>th</sup>, O and P Streets, N.W. (Square 398, Lot 32). The subject property is zoned C-3-C.

The Applicant proposes to modify the building to be located on the western portion of the site on the south side of P Street and the east side of 9<sup>th</sup> Street. The modifications for that portion of the overall PUD include:

- Addition of bays on the interior courtyard;
- Reallocation of approximately 4,266 square feet of commercial floor area to residential use, which extends the 8th floor along the 9th Street frontage at 82 feet;
- Increase in building height from 90 feet to 91.8 feet at the P Street frontage;
- Increase in the height of roof structure (#4) on the north side from 100 to 102 feet;
- Increase in height of the mechanical penthouse from 102 feet to 108.5 feet (roof structure #4); and
- Request for flexibility from the 1:1 setback for a portion of the roof structure to allow added height at the elevator core.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important

points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

**If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND  
MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF  
COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN,  
SECRETARY TO THE ZONING COMMISSION.**